

NEBRASKA DEPARTMENT
OF INSURANCEBEFORE THE DEPARTMENT OF INSURANCE
STATE OF NEBRASKA

JAN 13 2004

STATE OF NEBRASKA
DEPARTMENT OF INSURANCE,

FILED

PETITIONER,

CONSENT ORDER

VS.

JEROME J. O'CONNOR, JR.

CAUSE NO. A-1523

RESPONDENT.

In order to resolve this matter, the Nebraska Department of Insurance ("Department"), by and through its attorney, Martin W. Swanson and Jerome J. O'Connor, Jr., ("Respondent"), mutually stipulate and agree as follows:

JURISDICTION

1. The Department has jurisdiction over the subject matter and Respondent pursuant to Neb. Rev. Stat. §44-101.01 and §44-4001, et seq.

2. Respondent was licensed as an insurance agent under the laws of Nebraska at all times material hereto.

STIPULATIONS OF FACT

1. The Department initiated this administrative proceeding by filing a petition styled State of Nebraska Department of Insurance vs. Jerome J. O'Connor, Jr., Cause Number A-1523 on December 2, 2003. A copy of the petition was served upon the Respondent at the Respondent's address registered with the Department by certified mail, return receipt requested.

2. Respondent violated Neb. Rev. Stat. §44-1525(11) and Neb. Rev. Stat. §44-4059(1)(b) as a result of the following conduct:

- a. On October 21, 2003, Barbara Ems, an insurance investigator with the consumer affairs division of the Nebraska Department of Insurance wrote Jerome O'Connor a letter regarding an investigation conducted by the Nebraska Department of Insurance. The letter requested a response within fifteen working days.
- b. The due date for a response was on November 14, 2003. Respondent did not send a response to the letter on that day.
- c. Respondent faxed a response to the Nebraska Department of Insurance on November 17, 2003. However, fifteen working days had already passed.

3. Respondent was informed of his right to a public hearing. Respondent waives that right, and enters into this Consent Order freely and voluntarily. Respondent understands and acknowledges that by waiving his right to a public hearing, Respondent also waives his right to confrontation of witnesses, production of evidence, and judicial review.

4. Respondent admits the allegations contained in the Petition and restated in Paragraph #2 above.

CONCLUSIONS OF LAW

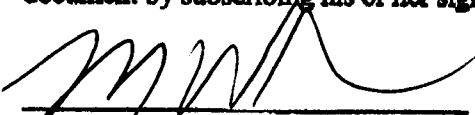
Respondent's conduct as alleged above constitutes a violation of Neb. Rev. Stat. §44-1525(11) and Neb. Rev. Stat. §44-4059(1)(b).

CONSENT ORDER

It is therefore ordered by the Director of Insurance and agreed to by Respondent, Jerome J. O'Connor, Jr., that he shall pay an administrative fine of \$500 and shall have his insurance producer license suspended for a period of thirty days commencing after the approval of this consent order by the Director of the Nebraska Department of Insurance or his duly appointed designee. The fine shall be paid in total within thirty days after the Director of the Department of Insurance or his duly appointed designee affixes their signature to this document and approves said

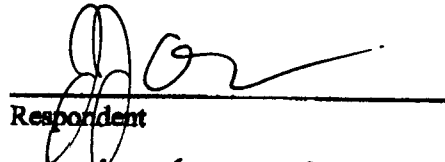
consent agreement. If Respondent fails to pay this fine in the time specified, his Nebraska's insurance producers license shall automatically be revoked.

In witness of their intention to be bound by this Consent Order, each party has executed this document by subscribing his or her signature below.



Martin W. Swanson, #20795
Attorney for Nebraska
Department of Insurance
941 "O" Street, Suite 400
Lincoln, Nebraska 68508
(402)417-2201

1/8/04
Date



Respondent

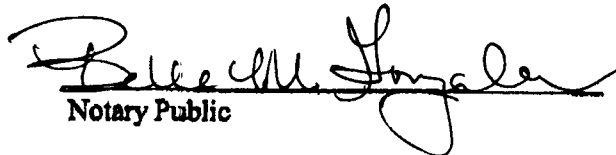
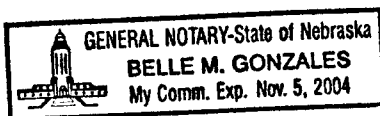
1-6-04
Date

Attorney for Respondent

1.6.04
Date

State of Nebraska)
County of Douglas) ss.

On this 6 day of January, 2004, Jerome J. O'Connor, Jr. personally appeared before me and read this Consent Order, executed the same and acknowledged the same to be his voluntary act and deed.


Notary Public

I hereby certify that the foregoing Consent Order is adopted as the Final Order of the Nebraska Department of Insurance in the matter of State of Nebraska Department of Insurance vs. Jerome J. O'Connor, Jr., Cause No. A-1523.

STATE OF NEBRASKA
DEPARTMENT OF INSURANCE



L. TIM WAGNER
Director of Insurance

1/13/04
Date

CERTIFICATE OF SERVICE

I hereby certify that a copy of the executed Consent Order was sent to the Respondent, at,
16258 Riggs Street, Omaha, Nebraska 68135, and to Victor Terry, counsel for Respondent at 319 S.
17th Street, Suite 700, Omaha, NE 68102 by certified mail, return receipt requested on this 14th day
of ~~December, 2003.~~

January, 2004

